

DECLARATION OF DANIEL COOGAN

I, Daniel Coogan, declare and state as follows:

1. I am the Deputy Assistant Administrator for Infrastructure and Extramural Resources in the Office of Mission Support, for the United States Environmental Protection Agency ("EPA") located at 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460. I have been in my current position since December 2023, and I have been at the agency since November 2004. I make the following factual statements based on my personal knowledge and belief. If called as a witness, I could and would competently testify thereto.

2. The use of the term "grant" in context of the funding pause and terminations includes both grant awards and cooperative agreements. EPA has applied the Court's injunction not only to grant awards, but more broadly with respect to Federal financial assistance administered by EPA.

3. EPA has restored access to funding in Automatic Standard Application for Payments ("ASAP") for \$2,148,017,060.04 in unliquidated obligations of recipients of the following IRA grant programs: Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program; Surveys, Studies, Investigations, Training and Special Purpose Activities Relating to Environmental Justice; Environmental Justice Government-to-Government (EJG2G) Program; Environmental Justice Small Grant Program; Financial Assistance For Community Support Activities To Address Environmental Justice Issues; Environmental Justice Thriving Communities Grantmaking Program (EJ TCGM); Environmental and Climate Justice Block Grant Program; and Reducing Embodied Greenhouse Gas Emissions for Construction Materials and Products.

4. A grant is terminated when EPA provides written notice of the termination to the recipient. The written notice includes the reasons for termination the effective date, required closeout reports, and EPA's dispute procedures. 2 C.F.R.

1 § 200.341(a); 2 C.F.R. § 200.342; 2 CFR § 1500, Subpart E. The effective date is
2 the date that the written notice is sent. Following a grant being terminated, EPA
3 disables the recipient's access to drawing down funds in ASAP.

4 5. Under EPA's grant dispute procedures, a recipient has 30 calendar days
5 from the date of the termination notice to dispute EPA's decision to terminate. 2
6 CFR § 1500.15(a). The termination remains effective while the dispute process
7 occurs.

8 6. Out of the 404 awards slated for termination mentioned in ¶ 5 of my
9 April 25th Declaration, as of the filing of this declaration, EPA has sent termination
10 notices to 57 recipients. EPA expects approximately 300 notices to be sent out by
11 the end of the day on May 9th, 2025.

12 I declare under penalty of perjury that the foregoing is true and correct.
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17 Daniel Coogan
18 Deputy Assistant Administrator for
19 Infrastructure and Extramural
20 Resources
21 Office of Mission Support
22 U.S. Environmental Protection
23 Agency
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